

COMMONWEALTH OF MASSACHUSETTS  
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

D.T.E. 02-46

SECOND SET OF INFORMATION REQUESTS TO  
THE TOWN OF ASHLAND

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Pursuant to 220 C.M.R. § 1.06(6)(c), the Department of Telecommunications and Energy ("Department") submits to the Town of Ashland ("Ashland") the following Information Requests.

**Instructions**

The following instructions apply to this set of Information Requests and all subsequent Information Requests issued by the Department to Ashland in this proceeding.

1. Each request should be answered in writing on a separate, three-hole punch page with a recitation of the request, a reference to the request number, the docket number of the case and the name of the person responsible for the answer. Attachments should be labeled and attached to the first information request response to which the document is responsive; subsequent information request responses may reference the attachment without attaching additional copies, e.g., DTE A-2-1, exh. A.
2. Do not wait for all answers to be completed before supplying answers. File the responses as they are completed but no later than the close of business on **January 31, 2003**.
3. These requests shall be deemed continuing so as to require further supplemental responses if the respondent or its witnesses receive or generate additional information within the scope of these requests between the time of the original response and the close of the record in this proceeding.
4. The term "document" is used in its broadest sense and includes, without limitation, writings, drawings, graphs, charts, photographs, phono-records, microfilm, microfiche, computer printouts, correspondence, handwritten notes, records or reports, bills, checks, articles from journals or other sources and other data compilations from which information can be obtained and all copies of such documents that bear notations or other markings that differentiate such copies from the original.
5. If any one of these requests is ambiguous, notify the Hearing Officer so that the request may be clarified prior to the preparation of a written response.

6. Please serve one (1) original copy of the responses on Mary Cottrell, Secretary of the Department, and one (1) copy to each party on the service list. Also submit eleven (11) copies of the responses to Jesse S. Reyes, Hearing Officer.
7. When feasible, copies of all nonproprietary documents that are filed with the Department must also be submitted to the Department in electronic format using one of the following methods: (1) by e-mail attachment to [dte.efiling@state.ma.us](mailto:dte.efiling@state.ma.us) and to [Jesse.Reyes@state.ma.us](mailto:Jesse.Reyes@state.ma.us); or (2) on a 3.5" disk, IBM-compatible format. The text of the e-mail or the disk label must specify: (1) an easily identifiable case caption, (2) docket number D.T.E. 02-46, (3) name of the party submitting the filing, and (4) title of the document. The electronic filing should also include the name, title, and phone number of a person to contact in the event of questions about the filing. Electronic copies should be written in either Word Perfect (naming the document with a ".wpd" suffix), Microsoft Word (naming the document with a ".doc" suffix), or Adobe Acrobat (naming the document with a ".pdf" suffix). Data or spreadsheet responses should be compatible with Microsoft Excel. Documents submitted in electronic format will be posted on the Department's website, <http://www.mass.gov/dpu>. Electronic copies must also be provided to all persons on the service list and to Department staff for this proceeding.

Electronic copies must be submitted on the same date that paper copies are filed with the Department. Electronic submission is not a substitute for filing and service of materials.

8. Documents are deemed filed upon receipt in hand or via first class mail of the original paper copies, by the Secretary of the Department, not upon mailing or electronic submission.

### **Requests**

- DTE A-2-1 Please produce all documents exchanged between Ashland and Framingham prior to December 9, 1998, pertaining to "annual charges and rates of discharge" to be applied at any time after December 9, 1998 under the IMA.
- DTE A-2-2 Please produce all documents exchanged between Ashland and Framingham from December 9, 1998 to the present, pertaining to "annual charges and rates of discharge" under the IMA.
- DTE A-2-3 Please refer to the Joint Pre-Hearing Memorandum, at 13, ¶ 5 (Nov. 25, 2002). State all facts relied upon for Ashland's position that "Framingham waived its opportunity to negotiate rates and charges retroactively."

- DTE A-2-4 Please refer to the Joint Pre-Hearing Memorandum, at 14, ¶ 9. State all facts relied upon for Ashland's position that "the IMA is no longer valid."
- DTE A-2-5 Please provide a table of all bills received by Ashland from Framingham under the IMA, from December 9, 1963 to the present, identifying (a) the relevant billing period, (b) the date that the bill was issued, (c) the amount invoiced, (d) the date paid, and (e) the amount paid. In addition, please itemize each bill and payment attributable to the components identified in the Joint Pre-Hearing Memorandum, at 8, ¶ 4. Where Ashland claims that billing is in excess of the amounts due, please attribute the overbilling to the appropriate components and state the amount that Ashland contends is due.
- DTE A-2-6 Please compare DTE A-1-4, exh. B, at 4 (Letter from Vollmer Associates to Dexter P. Blois, Ashland Town Manager (Nov. 6, 2001)), with Ashland's Answer to Framingham's Petition, at ¶ 13, and DTE A-1-1, exh. A. Which figure, 3.04% or 3.29%, does Ashland claim represents the portion of the Framingham system that Ashland uses? Please explain how the chosen figure was derived.
- DTE A-2-7 What is the source of the figure, 2,827 inch-miles, for the "Framingham Total System," presented in DTE A-1-1, exh. A?
- DTE A-2-8 Please refer to DTE A-1-4, exh. B, at 4. What, specifically, are the "discrepancies in pipe lengths and sizes" on the MWRA Community Sewerage Map for Framingham and those indicated in the SEA study? Please state the date of the MWRA map referenced.
- DTE A-2-9 Please provide a copy of Ashland's current Municipal Permit from the MWRA.
- DTE A-2-10 Please provide documentation of all communications between Ashland and MWRA regarding sulfates or sulfides.